

Attorney Docket No. 54763.8001.US02

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Date: OCTOBER 24, 2006

By: [Signature]

Rena lov

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: GJERSET, RUTH A. *ET AL.*

APPLICATION No.: 08/335,461

FILED: NOVEMBER 7, 1994

FOR: **ENHANCING THE SENSITIVITY OF
TUMOR CELLS TO THERAPIES**

EXAMINER: CHRISTOPHER S.F. LOW

ART UNIT: 1614

CONF. NO: 8495

**Supplemental Information Disclosure Statement
After First Office Action but Before Final Action
or Notice of Allowance – 37 C.F.R. § 1.97(c)**

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

10/30/2006 BABRAHA1 00000036 502586 08335461
01 FC:1806 180.00 DA

Sir:

1. Timing of Submission

The information transmitted herewith is being filed *after* three months of the filing date of this application or after the mailing date of the first Office action on the merits, whichever occurred last, but *before* the mailing date of either a final action under 37 C.F.R. § 1.113 or a Notice of Allowance under 37 C.F.R. § 1.311, whichever occurs first. The references listed on the enclosed Form PTO-1449 (modified) may be material to the examination of this application; the Examiner is requested to make them of record in the application.

2. Cited Information

☒ Copies of the following references are enclosed:

- ☐ All cited references
- ☐ References marked by asterisks
- ☒ The following: References with Cite Nos. BA through BC.

- ☐ Copies of the following references can be found in parent U.S. Application No. :
 - ☐ All cited references
 - ☐ References marked by asterisks
 - ☐ The following:
- ☒ This application was filed after 30 June 2003 and no copies of U.S. patents nor published applications are enclosed (See Notice of Deputy Commissioner Kunin on 11 July 2003).
- ☐ The following references are not in English. For each such reference, the undersigned has enclosed: (i) a translation of the reference; (ii) a copy of a communication from a foreign patent office or International Searching Authority citing the reference; (iii) a copy of a reference which appears to be an English-language counterpart; or (iv) an English-language abstract for the reference prepared by a third party. Applicant has not verified that the translation, English-language counterpart or third-party abstract is an accurate representation of the teachings of the non-English reference, though, and reserves the right to demonstrate otherwise.
 - ☐ All cited references
 - ☐ References marked by ampersands
 - ☐ The following:

3. Effect of Information Disclosure Statement (37 C.F.R. § 1.97(h))

This Information Disclosure Statement is not to be construed as a representation that: (i) a search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the cited information is, or is considered to be, material to patentability. In addition, applicant does not admit that any enclosed item of information constitutes prior art to the subject invention and specifically reserves the right to demonstrate that any such reference is not prior art.

4. Fee Payment (37 C.F.R. § 1.97(c)) or Certification (37 C.F.R. § 1.97(e))

- ☒ Applicant elects to pay the fee under 37 C.F.R. § 1.17(p) \$180.00.
 - ☐ Check enclosed for \$180.00.
 - ☒ Please charge the above fee(s) to Deposit Account No. 50-2586.

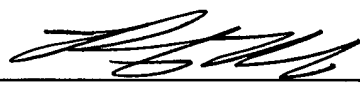
- ☐ Applicant submits that no fee is due in light of the following certification under 37 C.F.R. § 1.97(e) (check only one):
- ☐ In accordance with 37 C.F.R. § 1.97(e)(1), the undersigned hereby states that each item of information submitted herewith was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to this filing of this statement; or
- ☐ In accordance with 37 C.F.R. § 1.97(e)(2), the undersigned hereby states that no item of information submitted herewith was cited in a communication from a foreign patent office in a counterpart foreign application, or, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c), more than three months prior to the filing of this statement.
- ☒ Please charge any underpayment for timely filing of this paper to Deposit Account No. 50-2586.

5. Patent Term Adjustment (37 C.F.R. § 1.704(d))

- ☐ The undersigned states that each item of information submitted herewith was cited in a communication from a foreign patent office in a counterpart application and that this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of this statement. 37 C.F.R. § 1.704(d).

Respectfully submitted,
Perkins Coie LLP

Date: 10/23/05


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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**Form PTO-1449 (Modified)
(Use several sheets if necessary)**COMPLETE IF KNOWN**

| | |
|----------------------|-----------------------|
| Application Number | 08/335,461 |
| Confirmation Number | 8495 |
| Filing Date | November 7, 1994 |
| First Named Inventor | Ruth Gjerset |
| Group Art Unit | 1614 |
| Examiner Name | Christopher S. F. Low |
| Attorney Docket No. | 54763.8001.US02 |

Sheet 1 of 1

U.S. PATENT DOCUMENTS

| Examiner Initials | Cite No. | U.S. Patent or Application | | Name of Patentee or Inventor of Cited Document | Date of Publication or Filing Date of Cited Document | Pages, Columns, Lines, Where Relevant Figures Appear |
|----------------------|-------------|----------------------------|-------------------------|---|--|--|
| | | NUMBER | Kind Code (if known) | | | |
| | AA | 5,747,469 | | Roth et al. | 05/1998 | |
| | AB | 5,521,291 | | Curiel et al. | 05/1996 | |
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FOREIGN PATENT DOCUMENTS

| Examiner Initial | Cite No. | Foreign Patent or Application | | | Name of Patentee or Applicant of Cited Document | Date of Publication or Filing Date of Cited Document | Pages, Columns, Lines, Where Relevant Figures Appear | T |
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OTHER PRIOR ART-NON PATENT LITERATURE DOCUMENTS

| Examiner Initials | Cite No. | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume issue number(s), publisher, city and/or country where published. | T |
|----------------------|-------------|---|---|
| | BA | Michor et al. Nature Reviews. 4:197-206; 2004. | |
| | BB | Vogelstein et al. Trends in Genet. 9:138-141; 1993. | |
| | BC | Roth and Cristiano J. Natl. Cancer Inst. 89:21-39; 1997. | |

EXAMINER

DATE CONSIDERED

*EXAMINER: Initial if reference considered, whether or not criteria is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to application(s).

[54763-8001/LA062670.003]